ORIGINAL

CRIMINAL DISTRICT COURT

PARISH OF ORLEANS

STATE OF LOUISIANA

STATE OF LOUISIANA	198-059
VERSUS	1426(30)
CLAY L. SHAW	SECTION "C"

PROCEEDINGS IN OPEN COURT
FEBRUARY 19, 1969

B E F O R E: THE HONORABLE EDWARD A. HAGGERTY, JR.,

JUDGE, SECTION "C"

Dietrich & Pickett, Inc.
Stenotypists
333 ST. CHARLES AVENUE, SUITE 1221
NEW ORLEANS, LOUISIANA 70130 - 522-3111

I N D E X

WITNESS	DIRECT	CROSS	REDIRECT	RECROSS
RICHARD R. CARR	2	7	10	21
	--	--	31	33

1 THE COURT:

2 Call your next witness.

3 MR. GARRISON:

4 Your Honor, Mr. Carr is unable to walk

5 because of a recent accident, and

6 we understand the Defense has no

7 objection, if the Court will permit,

8 to have Mr. Carr wheeled right in

9 front of the State Counsel table.

10 THE COURT:

11 That's all right. He can testify from

12 there.

13 RICHARD RANDOLPH CARR,

14 having been first duly sworn by the Minute Clerk,

15 was examined and testified as follows:

16 DIRECT EXAMINATION

17 BY MR. GARRISON:

18 Q Mr. Carr, we can hear you if you speak into

19 the microphone, sir, and it is important

20 that the Jury be able to hear you and

21 Defense Counsel over here (indicating)

22 and the Court Reporter. What is your

23 full name?

24 A Richard Randolph Carr.

25 Q And in what City do you live?

A Dallas, Texas.

Q And what city were you living in during the month of November, 1963?

A Dallas, Texas, 322 North Canden, Oak Cliff.

Q Can you recall the day of November 22, 1963?

A Yes.

Q Can you recall what part of the City you were in around the middle of the day on November 22?

A Yes, I was on the Seventh Floor of the New Courthouse Building that was under construction at that time, located on Houston and Commerce, facing Dealey Plaza.

Q Approximately what time were you on the Seventh Floor of that building facing Dealey Plaza?

A Sir, I can't recall the exact time, but it was at the time that the parade was coming down towards Dealey Plaza. I did not have a watch at the time.

Q Were you in a position where you could see the parade?

A Yes, sir.

Q Do you recall seeing anything unusual happening?

A Yes, I do.

Q Would you tell us what happened.

1 A At the time the parade came down towards --
2 going to the School Book Depository,
3 Dealey Plaza would have been to my left
4 where I was standing, and at the Fifth
5 Floor of the School Book Depository I
6 noticed a man at the third window, this
7 man was dressed -- he had on a light hat,
8 and I saw this man later going down
9 Houston Street, to the corner of Com-
10 merce, and then turned toward town on
11 Commerce, and at that time before this
12 happened I heard a single shot which
13 sounded like a small arms, maybe a pistol,
14 and I immediately, immediately there was
15 a slight pause and immediately after that
16 I heard three rifle shots in succession,
17 they seemed to be fired from an automatic
18 rifle and they came --
19 MR. DYMOND:
20 We object to the witness giving his con-
21 clusions on this.
22 THE COURT:
23 Mr. Carr, do not give your conclusions on
24 this point.
25 BY MR. GARRISON:

1 Q Go ahead and tell us what you heard.
2 A I heard three rifle shots fired from a high-
3 powered rifle --
4 MR. DYMOND:
5 We object to that unless the man is quali-
6 fied as an expert. I ask the Jury
7 be instructed to disregard that.
8 THE COURT:
9 It is a question whether or not an ordinary
10 human being, whether he would know a
11 rifle shot or not. I do not know --
12 MR. DYMOND:
13 We don't know this man had rifles since
14 he was a child, we don't know that
15 he ever had been a hunter, and this
16 man --
17 MR. GARRISON:
18 We can clarify that very easily.
19 BY MR. GARRISON:
20 Q Mr. Carr, have you ever heard rifle fire before?
21 A I have.
22 Q Where?
23 A I was a member of the Fifth Ranger Battalion
24 in World War II. I qualified as an expert
25 with a bolt-action rifle which is called

1 a thirty aught six, in the Army it is a
2 30-caliber rifle, since that time I was --
3 I used a 225 Winchester, I hunted with a
4 70 millimeter Remington, I have also
5 loaded my own ammunition, which I do until
6 this day.
7 Q Were you ever wounded in action?
8 A Yes.
9 Q How many times?
10 MR. DYMOND:
11 I object to that as irrelevant.
12 THE COURT:
13 That is irrelevant. Why don't you tender
14 Mr. Carr over to the Defense as an
15 expert, at least in the field that
16 he knows a rifle shot when he hears
17 it?
18 MR. GARRISON:
19 One other question.
20 BY MR. GARRISON:
21 Q Have you ever heard rifle fire in combat?
22 A Yes, I have heard rifle fire in combat.
23 Q On how many occasions?
24 A I was in -- I landed in Casablanca, I went
25 through North Africa, I was in two major

1 offensives in Africa, and from there I
2 went to Anzio beachhead and my battalion
3 was annihilated, 13 men left in the Fifth
4 Ranger Battalion.
5 Q How many of these places did you hear rifle
6 fire?
7 A In all of them I heard rifle fire, sir.
8 MR. GARRISON:
9 We tender the witness.
10 CROSS-EXAMINATION
11 BY MR. DYMOND:
12 Q Mr. Carr, when you were qualified in the Army
13 as an expert with a rifle, did that, was
14 that pertaining to marksmanship or the
15 identification of the type of rifle being
16 fired from the noise made?
17 A Sir, clarify that.
18 Q Your qualification as an expert rifleman in the
19 Army, was that in marksmanship and the
20 breaking down of rifles or the identifica-
21 tion of rifle sounds?
22 A I became an expert on the range in the act of
23 firing a rifle.
24 Q In other words, that would be marksmanship,
25 would it not, sir?

A Yes.

Q Now, these various actions in which your battalion took place, do you know what type of rifles were being fired at you?

A No, sir, I do not.

Q Do you know whether there was more than one type of rifle being fired at you?

A Yes, I do know there was more than one type of rifle being fired at me.

Q But you can't name the different types. Is that correct?

A Well, I did not see them, and without seeing, I could not name them.

MR. DYMOND:

That's all.

THE COURT:

Is the matter submitted?

MR. GARRISON:

Yes, the State would add that Mr. Carr is about as expert in the sounds of gunfire as you could be and still be walking around.

MR. DYMOND:

If the Court please, this gentleman may have been fired at many times, but

he does not know what type of rifles were being fired, he was never called upon to distinguish as between sounds of various different rifles, and if you hold this man out as an expert, every man including myself who was in combat during World War II would be an expert. I certainly don't hold myself out as one.

THE COURT:

I rule that Mr. Carr is qualified as an expert and can give his opinion on whether a shot or a noise he heard is from a rifle or not, but not what type rifle.

MR. DYMOND:

To which ruling Counsel objects and reserves a bill of exception, making all the testimony up until this point, the Defense objection, the Court's ruling, and the entire record parts of the bill.

MR. GARRISON:

The Judge has ruled that you can tell us whether or not the noise you heard

1 was from a rifle but not what type
2 rifle.
3 THE WITNESS:
4 No, sir, I would not say what type of a
5 rifle, I would not say it was a
6 thirty aught six --
7 MR. DYMOND:
8 Objection, there was no question asked.
9 BY MR. GARRISON:
10 Q Let's go back to where we were and can you tell
11 us what you heard?
12 A Yes, a pipefitter and myself were standing on
13 the Seventh Floor of the -- on the outside
14 of the structure of this courthouse, we
15 were looking, as I told before in my
16 statement to the FBI and everyone else --
17 MR. DYMOND:
18 I object to his previous statements to
19 the FBI, Your Honor.
20 THE COURT:
21 Answer the question.
22 BY MR. GARRISON:
23 Q You can go on and tell us what you observed,
24 tell us what you observed and what you
25 heard.

A All right. As I stated before, I noticed this fellow in the window, and this gentleman, the pipefitter and myself, he made the statement to --

MR. DYMOND:

I object to what the man made a statement concerning.

BY MR. GARRISON:

Q You can say what you said.

A I thought he was a Secret Agent man or an FBI man.

Q What did the man in the window look like?

A He had on a hat, a felt hat, a light hat, he had on heavy-rimmed glasses, dark, the glasses were heavy-rimmed, and heavy ear pieces on his glasses.

Q Go ahead.

A He had on a tie, he had on a light shirt, a tan sport coat.

Q Now, you say you heard gunfire. Will you tell us again what you heard.

A Yes, sir. The first I heard, I made the statement before the objection, I say it was small arms, a pistol --

MR. DYMOND:

1 He has not been qualified --
2 THE COURT:
3 Just say what kind of noise you heard.
4 BY MR. GARRISON:
5 Q What kind of noise did you hear?
6 A I heard a shot. There was a pause and im-
7 mediately after that there were three
8 shots in succession.
9 Q Were you able to tell from where the first
10 shot was coming?
11 A No, sir, not the first one I could not tell
12 the direction it come from.
13 Q Were you able to tell from where the three
14 shots came from which followed?
15 A Yes, I was.
16 Q Where did they come from?
17 A They came from the -- from where I was standing
18 at the new courthouse, they came from in
19 this direction here, behind this picket
20 fence, and one knocked a bunch of grass
21 up along in this area here (indicating),
22 this area here is flat, looking at it
23 from here, but the actual way it is, it
24 is on a slope up this way and you could
25 tell from the way it knocked it up that

1 the bullet came from this direction
2 (indicating).
3 Q Now, when you just touched the ruler to this
4 mockup, what was the area which you were
5 describing as the source of the three
6 shots, can you describe it a little more
7 precisely?
8 A Yes, there was a picket fence along in this
9 area here, it does not show it in here,
10 and it seems the shots came from this
11 direction, and underneath that slope
12 there were people.
13 Q And what happened?
14 A The shots came from this direction, from be-
15 hind this picket fence that I do not see
16 here, and there is a slope here, there is
17 a grassy slope down here and there were a
18 lot of people, spectators down here, below
19 on this grassy slope, but when those shots
20 were fired the motorcycle policemen, the
21 Secret Service and what-have-you, all came
22 in this direction, the way the shots came
23 from, some of the people that were sitting
24 there or standing fell to the ground as
25 if the shots were coming off of those --

MR. DYMOND:

I object to his conclusion, Your Honor.

THE WITNESS:

It is not a conclusion, Your Honor, I saw it.

MR. DYMOND:

I ask the witness be instructed to wait for the Court's ruling.

THE COURT:

I overrule the objection.

MR. DYMOND:

To which ruling Counsel objects and reserves a bill of exception on the conclusions of the witness. I will make the Defense objection, all the questions propounded to this witness, the entire record and the Court's ruling, parts of the bill.

BY MR. GARRISON:

Q Now, of those shots, which of the three shots did you hear coming from that area you have just pointed out by the picket fence on the knoll?

A The three shots, the last three shots came from this area.

1 Q Did the three shots seem spread apart in time
2 or very close in time?
3 A No, sir, they were fired from a semi-automatic
4 or either --
5 MR. DYMOND:
6 I object to this.
7 THE COURT:
8 Just tell us the sequence, Mr. Carr.
9 BY MR. GARRISON:
10 Q You can tell us whether they sounded close
11 or separate.
12 A Yes, they were very close together.
13 Q If you were to say with your voice "BOOM"
14 three times, could you give us the
15 approximate separation as you recall it?
16 A Well, BOOM-BOOM-BOOM, just in that order.
17 Q All right. Now, I am not going into the whole
18 thing there, but just so that we can see
19 where the spot was on the photomap, now,
20 "S-34," Mr. Carr, that you are looking at
21 now, an aerial photograph of the scene --
22 A Yes.
23 Q -- could you orient yourself, can you identify
24 everything by looking at the area photo-
25 graph?

A Yes.

Q Can you show us the area from which you heard the three shots coming on the area photograph?

A The three shots came from in this direction right here (indicating).

Q Can you recognize the cement arcade in the area photograph?

A Yes.

Q Now, are you able to recall from which ends of the cement arcade the three shots came from, was it from the end towards the Depository or the end towards the overpass?

A At the end towards the overpass, right here.

MR. GARRISON:

Let the record show that Mr. Carr just indicated, would you point your ruler up there, -- let the record show Mr. Carr is indicating an area on the grassy knoll in the vicinity of the picket fence.

THE COURT:

Let it be noted in the record.

BY MR. GARRISON:

1 Q Now, after the shots, did you notice any
2 movement of any kind --
3 A Yes, I did.
4 Q -- as unusual, that was unusual?
5 A Yes, I did.
6 Q Would you tell us what you observed.
7 A Should I point it out, sir?
8 Q Yes.
9 A At this point right here, at this School Book
10 Depository there was a Rambler Station
11 Wagon there with a rack on the back,
12 built on the top of this.
13 Q Which way was the station wagon facing?
14 A It was parked on the wrong side of the street,
15 next to the School Book Depository heading
16 north.
17 Q North being the top of the photomap, north is
18 the top as you have indicated?
19 A North is the top, and it was headed in this
20 direction towards the railroad tracks,
21 and immediately after the shooting there
22 was three men that emerged from behind the
23 School Book Depository, there was a Latin,
24 I can't say whether he was Spanish, Cuban,
25 but he was real dark-complected, stepped

1 out and opened the door, there was two
2 men entered that station wagon, and the
3 Latin drove it north on Houston. The car
4 was in motion before the rear door was
5 closed, and this one man got in the front,
6 and then he slid in from the -- from the
7 driver's side over, and the Latin got back
8 and they proceeded north and it was moving
9 before the rear door was closed, and the
10 other man that I described to you being
11 in this window which would have been one,
12 two, the third window over here came
13 across the street, he came down, coming
14 towards the construction site on Houston
15 Street, to Commerce, in a very big hurry,
16 he came to Commerce Street and he turned
17 toward town on Commerce Street and every
18 once in a while he would look over his
19 shoulder as if he was being followed.
20 Q Now, Mr. Carr, did you have occasion to give
21 this information to any law enforcement
22 agencies?
23 A Yes, I did.
24 Q Did anyone tell you not to say anything about
25 this?

A Yes.

MR. DYMOND:

I object to what anyone told him, Your Honor, on the grounds it's hearsay.

THE COURT:

A moment ago you asked Mrs. Parker if anybody threatened her. Is it your question, Mr. Garrison, whether or not Mr. Carr was threatened by someone? Is your question to the witness a question of whether or not anyone threatened Mr. Carr?

MR. GARRISON:

I will rephrase it.

BY MR. GARRISON:

Q Did anyone threaten you?

MR. DYMOND:

At this time we object to the Court's suggesting questions to Counsel for the State. The suggested question is completely different from the question previously propounded by the State. This is not the function of a Trial Judge in any trial.

MR. GARRISON:

1 May it please the Court, I will phrase
2 my own questions on this.
3 BY MR. GARRISON:
4 Q Mr. Carr, did you talk to any FBI agents about
5 this incident?
6 A Yes, I did.
7 Q Did they tell you to forget about it?
8 MR. DYMOND:
9 I object to that as hearsay.
10 BY MR. GARRISON:
11 Q Were you threatened in any way --
12 THE COURT:
13 I sustain the objection. You cannot tell
14 us the words used by someone who
15 spoke to you because of hearsay;
16 however, you can state that you had
17 conversations with them and what did
18 you do as a result of the conversa-
19 tion, I will permit that.
20 BY MR. GARRISON:
21 Q As the result of the conversations with the
22 Federal Bureau of Investigation, what did
23 you do?
24 A I done as I was instructed, I shut my mouth.
25 Q Were you called to testify before the Warren

1 Commission?

2 A No, sir.

3 MR. GARRISON:

4 I tender the witness.

5 RECROSS-EXAMINATION

6 BY MR. DYMOND:

7 Q When did you first notice that President

8 Kennedy had been shot?

9 A About an hour and 15 minutes after it happened,

10 sir.

11 Q Is it your testimony that you did not realize

12 that anything had gone wrong in the

13 Presidential motorcade?

14 A I realized something had gone wrong but I did

15 not know what.

16 Q Did you realize that anyone had been shot?

17 A No, sir, I did not.

18 Q Until an hour and 15 minutes after it happened,

19 is that your testimony?

20 A Yes.

21 Q I see. Now, wasn't it your testimony that you

22 heard what you thought were gunshot --

23 A Yes.

24 Q -- noises?

25 A Yes, I did not think it was gunshots, I knew

1 it was gunshots.
2 Q I see. Didn't you also testify that you saw
3 people running up to the grassy knoll area?
4 A I did.
5 Q Did you draw any conclusions from that?
6 A Your Honor, you asked me not to have any con-
7 clusions a while ago, did you not?
8 THE COURT:
9 You can answer this question.
10 THE WITNESS:
11 I have conclusions, yes, I did.
12 BY MR. DYMOND:
13 Q Did you conclude that anybody had been shot?
14 A I concluded someone had been shot or shot at,
15 yes.
16 Q Did you detect any commotion or unusual activi-
17 ties in the vicinity of the Presidential
18 vehicle?
19 A I detected the vehicles gathering speed and
20 moving on, yes, I did.
21 Q Did you attach any importance to that or think
22 it was unusual?
23 A I thought it was very unusual, yes.
24 Q Now, when did you see the Presidential vehicle
25 gathering speed in relation to the gun-

1 shots?
2 A It was shortly after,
3 Q Would I be fair in saying it was immediately
4 after the gunshots?
5 A I would say there was a pause and it looked
6 like, it looked like somebody trying to
7 get home from where I was at.
8 Q By clapping your hands, first indicating the
9 last gunshot, and then the time that you
10 saw the unusual activity around the
11 Presidential vehicle, clapping them again,
12 so as to show us the space of time, would
13 you please do that, sir.
14 A That has been five years ago, and it seemed
15 like minutes, which it was only seconds.
16 Q In other words, it's your testimony now that
17 it was only seconds between the last shot
18 and your seeing commotion and unusual
19 activity around the Presidential vehicle.
20 Is that correct?
21 A Well, now, I ain't said nothing about seeing
22 commotion around the Presidential vehicle,
23 what type of commotion I noticed mostly
24 was people running to the area that I
25 described, this area right here, sir.

1 Q That happened right after the shots were
2 fired?
3 A Yes, that happened immediately.
4 Q Would you say that happened before or after
5 you saw the Presidential vehicle
6 accelerate and start to go faster?
7 A That happened before.
8 Q All right. After seeing the people run up
9 the grassy knoll, which happened right
10 after you heard the shots, right after
11 that you saw --
12 MR. ALCOCK:
13 That is not what he said, that is not his
14 testimony.
15 (Whereupon, the testimony pertinent
16 to this point was read by the
17 Reporter.)
18 BY MR. DYMOND:
19 Q Right after that you saw the Presidential
20 vehicle accelerate. Is that correct?
21 A Yes.
22 Q All right. Now, when you saw the Presidential
23 vehicle accelerate, did that attract your
24 attention?
25 A No, sir, not so much as I turned and looked

1 back, as I told you before, I saw these
2 people come out from behind the School
3 Book Depository and I am going to try to
4 make this clear to you so where you can
5 understand it, from where I was at I
6 could not tell whether they came out this
7 side entrance here, there is a side en-
8 trance to the School Book Depository, or
9 whether they came from behind it, but they
10 came either from the side entrance or they
11 came from behind it, and got into this
12 station wagon.
13 Q Now, how about the rest of the motorcade, did
14 it accelerate along with the Presidential --
15 A The crowd crowded in so fast until I could not
16 tell anything about the rest of the motor-
17 cade or nothing else, there was a lot of
18 commotion there from then on.
19 Q Was there a great deal of traffic on Stemmons
20 Freeway at that time?
21 A Stemmons Freeway is on up here.
22 Q I am talking about Elm Street going --
23 A You said Stemmons Freeway, Elm Street is here,
24 sir. No, sir, there was not much traffic
25 on Elm Street.

1 Q Not much traffic?
2 A Elm Street had been blocked off for the motor-
3 cade.
4 Q About how many automobiles were in the motor-
5 cade?
6 A I don't know.
7 Q Would you say plenty or just one or two?
8 A Well, at the time this happened, I saw three.
9 Q You only saw three vehicles, three automobiles
10 in the Presidential motorcade. Is that
11 correct?
12 A At the time it happened I had only seen three,
13 part of them were on back, had not got to
14 that point yet.
15 Q Did you ever see any more than these three?
16 A Sir, I saw no more because I explained to you
17 that the commotion was so great that every-
18 body stopped there, there were a lot of
19 people on the streets, on both sides,
20 there were people up here, spectators,
21 there were people lined everywhere along
22 that route, all over there.
23 Q Mr. Carr, weren't you interested in looking at
24 this commotion and trying to see what was
25 causing it?

1 A Was I interested in knowing what was causing
2 it?
3 Q That is correct.
4 A I would like to have known, but I could not
5 have got through the crowd to find out
6 if I had to.
7 Q You had a pretty good spot from which to look,
8 didn't you?
9 A Yes.
10 Q Were you looking to try to see what caused it?
11 A Well, I had no idea what had went on, sir.
12 Q I say were you looking to try to see what went
13 on, what caused it?
14 A To see what caused the commotion?
15 Q That's right.
16 A No, sir, not to see what caused it, I was
17 looking to see what was going on.
18 Q You were looking where, to see what was going
19 on?
20 A I was looking to see why all of the commotion
21 down here and why these people were running.
22 Q And at the same time you were looking up towards
23 the Texas Book Depository seeing three men
24 come out from behind it. Is that right?
25 A Do you see these dots on this --

1 Q Would you answer my question and then explain,
2 please, sir. I say would you answer the
3 question and then explain.
4 A Yes, I will answer your question, repeat it,
5 please.
6 THE COURT:
7 Mr. Carr, when a question is put to you,
8 you can answer it yes or no, but you
9 have a right to explain your answer
10 so you cannot be cut off, so if you
11 wish to explain the answer, you are
12 permitted by law to do so.
13 (Whereupon, the question was
14 read back by the Reporter.)
15 A Yes, that's right.
16 BY MR. DYMOND:
17 Q And also at the same time you were watching
18 the man whom you say you had seen on the
19 Fifth Floor of the Book Depository walk on
20 Houston Street towards Main. Is that
21 right?
22 A Yes, and I have -- may I explain that?
23 Q Yes.
24 THE COURT:
25 You may explain.

1 A The same man that I saw here in this window was
2 with the three men that I told you a
3 minute ago, they came out from behind
4 the School Book Depository, got in the
5 station wagon, one man crossed the street
6 and then came down this side of Houston
7 Street and turned onto Commerce Street.
8 BY MR. DYMOND:
9 Q And you were watching that procedure at the
10 same time that you were watching what
11 was going on in the grassy knoll area?
12 A No, sir.
13 Q And what was going on around the Presidential
14 vehicle and in the motorcade, right?
15 A No, sir, I was watching that man at that time,
16 and I watched him until I could see him
17 no longer, but that man acted as if he was
18 in a hurry and someone was following him,
19 and I would know that man if I ever saw
20 him again.
21 Q And right before the three successive shots
22 you saw a bullet hit in the middle of
23 Dealey Plaza, is that correct?
24 A Repeat that, please.
25 Q Right before hearing the three successive shots

1 you saw a bullet hit in the middle of
2 Dealey Plaza, right?
3 A No, sir, upon hearing the three successive
4 shots, sir, I saw one, one of those three
5 hit in Dealey Plaza in the grass.
6 Q I see. Did you ever go and look for the hole
7 where it hit?
8 A No, sir, I have not.
9 Q Did you ever try to recover the pellet?
10 A No, sir, I have not.
11 Q Now, is it your testimony that the three, that
12 is, the group of these three shots were
13 equally spaced, that is, the space of
14 time between the first and second was
15 just about the same as that between the
16 second and third?
17 A The three shots were consecutively.
18 Q I take it then that you would deny that there
19 was one shot and then a relatively long
20 period and then two fast shots. Is that
21 correct?
22 A Yes, I sure would.
23 Q I take it -- go ahead, sir.
24 A I am sorry, sir, go ahead. I said I heard one
25 shot, there was a pause and then I heard

1 three consecutive shots.

2 Q I take it then that you would also deny that

3 of those three successive shots, there

4 were two rapid ones and then a relatively

5 long period and then a third one. Is that

6 right?

7 A Yes, I would.

8 MR. DYMOND:

9 That's all, sir.

10 FURTHER REDIRECT EXAMINATION

11 BY MR. GARRISON:

12 Q Just one more question, Mr. Carr. Would you

13 just take your -- would you just take

14 your time and in your own words describe

15 with reference to the photomap the direc-

16 tion of that shot which you observed

17 furrowing on through the grass, from what

18 area to what area, could you describe

19 that, from what point to what point?

20 A The shot was fired from somewhere in here.

21 Q Just a minute, sir. This is going to be

22 written down, what do you mean by "in

23 here," from somewhere to where?

24 A From this direction in here that shot was

25 fired.

1 Q You are indicating, to begin with, the grassy
2 knoll area by the picket fence. Is that
3 right?
4 A Yes, sir, that is the first thing that
5 attracted my attention as I explained to
6 you before.
7 Q But the direction would have been from there
8 to where?
9 A To in this vicinity right here (indicating).
10 Q Well, if you carry the line down, would you
11 identify some building or something on
12 the map so that we will know precisely
13 what you mean?
14 A Yes, I will say the Criminal Courts Building
15 right here (indicating).
16 Q If the shot would have continued, you mean to
17 say --
18 MR. DYMOND:
19 I object to leading the witness, Your
20 Honor.
21 BY MR. GARRISON:
22 Q I will rephrase the question. If the shot had
23 continued --
24 A If the shot had not hit the grass, it would have
25 hit the Criminal Courts Building, sir.

MR. GARRISON:

That's all I have.

FURTHER RECROSS-EXAMINATION

BY MR. DYMOND:

Q Just a couple of questions. Mr. Carr, is it your testimony that you saw this bullet furrowing through the grass?

A I saw the grass come up.

Q You saw the grass come up?

A Yes.

Q And from that you are telling us from what direction the shot came and where it would have gone if it would have kept on going. Is that right?

A Yes.

MR. DYMOND:

That's all.

THE COURT:

Is Mr. Carr released from the obligations of his subpoena?

MR. ALCOCK:

Yes, Your Honor.

THE COURT:

You are excused as a witness.

THE WITNESS:

1 Thank you, Judge.

2 THE COURT:

3 Let everybody have a seat, Sheriff.

4 Now, you see, it is about one minute to

5 12:00. We are going to recess for

6 lunch.

7 Let everybody have a seat.

8 Gentlemen of the Jury, as I have so many

9 times, I must admonish you and in-

10 struct you not to discuss the case

11 with one another or anyone else.

12 It is very, very important that you

13 adhere to my instructions.

14 With those instructions, I will turn you

15 over to the Sheriffs, and we will be

16 in recess for lunch.

17 You are released under your same bond,

18 Mr. Shaw.

19

20 (Whereupon, a luncheon recess

was taken.)

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24

25

C E R T I F I C A T E

I, the undersigned, a Deputy Official Court Reporter in and for the State of Louisiana, authorized and empowered by law to administer oaths and to take the depositions of witnesses under L.R.S. 13:961.1, as amended, do hereby certify that the above and foregoing deposition is true and correct as taken by me in the above-entitled and numbered cause (s).

I further certify that I am not of counsel nor related to any of the parties to this cause or in anywise interested in the event thereof.

NEW ORLEANS, LOUISIANA, on the 26 day of May 1969

Paul W. Williams

DEPUTY OFFICIAL COURT REPORTER
STATE OF LOUISIANA